

Application No. 09/467,851
Amendment "C" dated June 9, 2005
Reply to Office Action mailed April 20, 2005

REMARKS

The final Office Action, mailed April 20, 2005 considered and rejected claims 2, 3 and 23-48 under 35 U.S.C. 102(a) as being unpatentable by ATVEF (Draft, version 1.1r26 updated 02/02/99).¹

By this paper, claims 23, 29, 36, 39, 42 and 43 have been amended, claims 25 and 38 have been cancelled, and new claims 49 and 50 have been added, such that claims 2, 3, 23-24, 26-37 and 39-50 remain pending.² Claims 23, 29, 36 and 39 are the independent claims at issue. Of the claimed embodiments, claim 23 is directed to a method, claim 36 is directed to a corresponding receiver, claim 37 is directed to a corresponding system, and claim 39 is directed to a corresponding computer program product.

Each of the new independent claims incorporates elements relating to the filtering and execution of triggers in an interactive television system. In particular, each of the recited embodiments generally includes a receiver that stores configuration information that can be customized to control when the receiver will execute a connected-content trigger that links to connected content and when the receiver will execute a disconnected-content trigger that links to disconnected content. As clarified, the connected content comprising enhanced content that is accessed by the receiver when the receiver is in a connected state and the disconnected content comprising enhanced content that is accessed by the receiver when the receiver is in a disconnected state. As further clarified, the receiver will only execute a connected-content trigger and thereby access the connected content when the configuration information specifies that the receiver is connected.

The recited embodiments also include receiving a content trigger linking to enhanced content and determining, based on a connectivity value, whether the content trigger is a connected content trigger or a disconnected-content trigger. Thereafter, if it is determined that the content trigger includes a connectivity value distinguishing the trigger as a connected-content trigger and that the receiver is connected, the invention includes an act of executing the

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. For example, Applicants reserve the right to swear behind and challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support in the specification for the new claims and amendments includes, but is not limited to, the disclosure found on pages 4, 6-8, 11, and in the previously filed claims.

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connected-content trigger to thereby access the enhanced content from a remote source over a bi-directional connection. However, if it is instead determined that the content trigger includes a connectivity value distinguishing the trigger as a disconnected-content trigger, regardless of whether the configuration information indicates that the receiver is connected or disconnected, the disconnected-content trigger is executed to thereby access the enhanced content from local storage without utilizing a bi-directional connection with a remote source to access the enhanced content. The claimed embodiments also clarify that a connected-content trigger is ignored if the receiver is disconnected (claim 51).

As further recited in some of the new dependent claims, the connectivity value can also sometimes indicate that the content trigger is a connected-trigger even when the connected-trigger links to locally stored enhancement content (claim 49). For example, the locally stored enhancement content might link to additional enhancement content that is accessible to the receiver through a bi-directional connection to a remote source, thereby making it connected content (claim 50).

Although, the ATVEF reference teaches many things with regard to triggers, ATVEF fails to disclose a receiver that functions in the claimed manner. First, the reference does not appear to distinguish between different types of enhancement content, such as connected content and disconnected content. Furthermore, ATVEF clearly fails to disclose or suggest that a receiver will only execute a connected-content trigger and thereby access the connected content when the configuration information specifies that the receiver is connected. To the contrary, in section 1.1.4, on page 6 (top of the page in the first box), ATVEF clarifies that " 'disconnected,' receivers can also expect to perform HTTP get or post methods but there will be an indeterminate delay while a connection is established." In other words, it appears that the trigger is being executed to access the content (albeit that a connection will still be made) even though the receiver is disconnected when the trigger is received. Even more distinguishing, it is clear that such connected-content triggers are not ignored, when the receiver is disconnected, (claim 51).

Next, it is clear that the ATVEF reference fails to disclose or suggest that a connectivity value is used to determine whether the content trigger is a connected content trigger or a disconnected-content trigger. For this teaching the examiner cites to the "triggerReceiverObj.backChannel" (see page 4 of the Office Action). However this trigger

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property merely provides a "string indicating the availability and state of a backchannel to the Internet on the current receiver." The cited disclosure then proceeds to tell of the different types of backchannel states and corresponding actions. This section does not, however, indicate whether the trigger is self-identifying as corresponding to connected or disconnected enhanced content, as described and claimed above. In particular, this section deals with the state of the receiver, not the trigger. The objects and properties associated with the cited disclosure relate to the page setup for "pages that expect to have triggers sent to them." The cited disclosure does not indicate that the trigger includes a connectivity value indicating the trigger corresponds to connected content or disconnected content as claimed.

Furthermore, ATVEF also fails to disclose or suggest that upon determining a content trigger includes a connectivity value distinguishing the trigger as a disconnected-content trigger, regardless of whether the configuration information indicates that the receiver is connected or disconnected, the disconnected-content trigger is executed to thereby access the enhanced content from local storage without utilizing a bi-directional connection with a remote source to access the enhanced content.

In view of the forgoing, Applicants respectfully point out that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131. In the present case, there are many elements that have not been disclosed either expressly or inherently, as mentioned above, such that the present invention is clearly distinguished from the art of record.

Accordingly, for at least these reasons, as well as the others that were presented in the previous amendments and interview discussions, Applicants respectfully submit that the cited art fails to anticipate or make obvious Applicants' invention, as claimed, for example, in the independent claims. In view of this, Applicants note for the record that the other rejections and assertions of record with respect to the independent and dependent claims are now moot, and therefore need not be addressed individually. However, in this regard, it should be appreciated that Applicants do not necessarily acquiesce to any assertions in the Office Action that are not specifically addressed above, and hereby reserve the right to challenge those assertions at any appropriate time in the future, should it arise, including any official notice.

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Accordingly, for at least the foregoing reasons, Applicants respectfully submit that all of the pending claims (2, 3, 23-24, 26-37 and 39-50) are now in condition for prompt allowance.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 9 day of June, 2005.

Respectfully submitted,



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